

REMARKS

Claims 1-5, 9 and 10 are pending in this application. By this Amendment, claims 1, 5, 9 and 10 are amended, and claims 6-8 are canceled without prejudice to or disclaimer of the subject matter recited therein. Applicants reserve the right to file a Divisional application to pursue withdrawn claims 6-8. Claims 1, 9 and 10 are amended to clarify the recited features. The amendment to claim 5 is supported in the specification by at least paragraphs [0151] - [0153]. Thus, no new matter is added.

The Office Action rejects claims 1, 3 and 9 under 35 U.S.C. §103(a) over Boothby, U.S. Patent Application Publication No. 2001/0014893 A1, in view of Veghte et al. (Veghte), U.S. Patent No. 5,897,640, and further in view Williams et al. (Williams), U.S. Patent Application Publication No. 2004/0219890 A1; rejects claim 2 under 35 U.S.C. §103(a) over Boothby, in view of Veghte and Williams, and further in view of Duncombe et al. (Duncombe), U.S. Patent Application Publication No. 2003/0120685 A1; and rejects claims 4, 5 and 10 under 35 U.S.C. §103(a) over Boothby, in view of Veghte and Williams, and further in view of Multer et al. (Multer), U.S. Patent Application Publication No. 2002/0010807 A1. The rejections are respectfully traversed.

With regard to independent claims 1, 9 and 10, neither Boothby nor Veghte discloses or suggests deleting an update time from only the extracted newly updated data, and sending only the extracted newly updated data as the backup data to the wearable computer. Boothby discloses a synchronization program that sends the entire record stored in a handheld device (paragraph [0048]), but does not disclose sending only the extracted newly updated data. The file deletions of Veghte are for the entire file that is moved, and not specific to extracted newly updated data (see col. 8, lines 13-17). Each of Williams and Multer fails to overcome the deficiencies of Boothby and Veghte. Thus, neither Boothby, Veghte, Williams nor Multer discloses or suggests deleting an update time from only the extracted newly updated data, and

sending only the extracted newly updated data as the backup data to the wearable computer, as recited in claims 1, 9 and 10. Accordingly, claims 1, 9 and 10 are patentable over any combination of Boothby, Veghte, Williams and Multer. Further, because claims 2-4 incorporate the features of claim 1, these claims also are patentable over the above references.

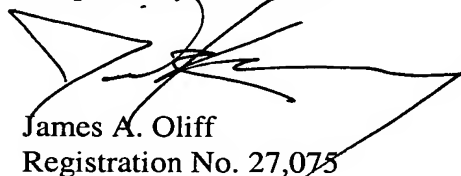
With regard to independent claim 5, Boothby fails to disclose or suggest a first receiving device to receive a first communication identifier code and a second communication identifier code of the portable information terminal from the portable information terminal as authentication information. The Office Action asserts that the file names or data record names of Boothby correspond to the claimed identifier code because it is inherent or at least well known that file names or data record names in computers would be represented as a binary code (for example, ASCII code). However, the claimed second communication identifier code represents authentication information, not a mere "filename or 'data record' name". Veghte, Williams and Multer fail to account for this deficiency.

Thus, it is respectfully requested that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-5, 9 and 10 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'James A. Oliff', written over a horizontal line.

James A. Oliff
Registration No. 27,075

David R. Kemeny
Registration No. 57,241

JAO:DRK/kxs

Date: November 3, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**

Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461